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13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA
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16 ALICIA INES MOYA GARAY, JUAN
17 JAIME LOPEZ-JIMENEZ, and
ARRIBA LAS VEGAS WORKER
18 CENTER,

19 Plaintiffs,

20 vs.

21 CITY OF LAS VEGAS, a municipality;
MICHELE FREEMAN, in her official
22 capacity as City of Las Vegas Chief of
Department of Public Safety;
23 BANANTO SMITH, in his individual
capacity and official capacity as Deputy
24 Chief of Detention Services;

25 Defendants.

Case No. 2:20-cv-00119-GMN-EJY

**STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND DISCOVERY DEADLINES**

(FIFTH REQUEST)

1 **STIPULATION AND [PROPOSED] ORDER TO EXTEND DISCOVERY DEADLINES**

2 Pursuant to LR IA 6-1 and LR 26-3, the parties, by and through their respective counsel of
3 record, hereby stipulate and request that this Court extend the Discovery Deadlines in the above-
4 captioned case. Plaintiffs Alicia Ines Moya Garay and Juan Jaime Lopez-Jimenez (“Plaintiffs”)
5 and Defendants City of Las Vegas, *et al.* (“Defendants”) stipulate and respectfully request a thirty
6 (30) day extension of the current scheduling order deadlines. In support of this Stipulation and
7 Request, the parties state as follows:

8
9 **A. DISCOVERY COMPLETED TO DATE**

10 Plaintiffs Alicia Ines Moya Garay and Juan Jaime Lopez-Jimenez (“Plaintiffs”) and
11 Defendants City of Las Vegas, *et al.* (“Defendants”) made their initial disclosures on June 16, 2020.
12 Plaintiffs propounded their First Set of Interrogatories on August 5, 2020. On August 31, 2020,
13 Defendants requested an extension to respond to Plaintiffs’ First Set of Interrogatories, which
14 Plaintiffs granted. On September 2, 2020 Plaintiffs served their First Set of Requests for Admission
15 and Requests for Production of Documents.

16 On September 10, 2020, Defendants served their responses to Plaintiffs’ First Set of
17 Interrogatories. On September 24, 2020, Plaintiffs served their amended First Set of
18 Interrogatories. On October 1, 2020, Defendants served their responses to Plaintiffs’ First Set of
19 Requests for Admission. On October 15, 2020, Defendants served their responses to Plaintiffs’
20 First Set of Requests for Production of Documents. On October 20, 2020, Defendants served their
21 responses to Plaintiffs’ amended First Set of Interrogatories. On November 5, 2020, Defendants
22 served their First Supplemental Responses to Plaintiffs’ First Set of Requests for Production of
23 Documents. On December 18, 2020, Defendants served their Supplemental Responses to
24 Plaintiffs’ First Set of Requests for Admission. On December 21, 2020, December 22, 2020, and
25 December 29, 2020, Plaintiffs conducted the depositions of three witnesses employed by the City
26 of Las Vegas.

27 On January, 21, 2021, Defendants propounded their First Set of Interrogatories and First
28 Set of Requests for Production of Documents. On February 17, 2021 Plaintiffs requested an

1 extension to respond to Defendants' First Set of Interrogatories and First Set of Requests for
2 Production of Documents, which Defendants granted. On March 8 and 9, 2021, Plaintiffs served
3 their responses to Defendants' First Set of Interrogatories and First Set of Requests for Production
4 of Documents.

5 On March 25, 2021, Plaintiffs propounded their Second Set of Interrogatories, Second Set
6 of Requests for Admissions, and Second Set of Requests for Production of Documents. On April
7 21, 2021, Defendants asked for an extension of time to respond to Plaintiffs' Second Set of
8 Interrogatories, Requests for Production, and Requests for Admissions, due to Defendants' change
9 in counsel. Plaintiffs agreed to an extension of the response deadline from April 26, 2021 to May
10 17, 2021.

11 12 **B. DISCOVERY REMAINING TO BE COMPLETED**

13 The parties in this case continue to propound and respond to written discovery and must
14 conduct additional depositions, in addition to making their expert disclosures.

15 16 **C. REASON FOR REQUEST FOR EXTENSION OF DISCOVERY DEADLINES**

17 Plaintiffs continue to coordinate with an expert to provide forensic psychological services.
18 In light of the logistical challenges that have arisen because the COVID-19 pandemic, including
19 securing video conferencing/telemedicine technology for Plaintiffs, Plaintiffs require more time to
20 provide merits experts' disclosures. Additionally, Plaintiffs' expert witness is currently engaged in
21 trial testimony in another matter. Because Plaintiffs have exhibited diligence in their search for an
22 expert witness and because Defendants do not oppose the request, Plaintiffs demonstrate good and
23 just cause for the extension.

24 Further, the parties have exhibited diligence in propounding and responding to written
25 discovery and conducting depositions, but significant discovery remains to be completed. For
26 example, Plaintiffs have conducted three depositions of Defendants' witnesses and are preparing
27 to notice additional depositions. Defendants must also conduct Plaintiffs' depositions. The parties
28 also anticipate likely expert depositions. Moreover, based on the number of witnesses identified in

Defendants' initial disclosures and discovery responses, the parties have discussed the possibility of seeking leave of court under Fed. R. Civ. P 30(a)(2)(A)(i) to take more than ten (10) depositions. The parties respectfully request an extension of the discovery cut-off date, in the event that the parties stipulate to taking more than ten depositions at a later time.

Because of Plaintiffs' and Defendants' diligence, and because Defendants do not oppose the request, the parties demonstrate good and just cause for the extension. The parties respectfully request a thirty (30) day extension of the current scheduling order deadlines in accordance with the proposed scheduling order below.

D. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

- | | |
|--|-------------------|
| 1. Initial Disclosures | June 16, 2020 |
| 2. Amending pleadings / adding parties | December 28, 2020 |
| 3. Merits experts' disclosures due | May 28, 2021 |
| 4. Rebuttal experts' disclosures due | July 1, 2021 |
| 5. Discovery Cut-off date | July 23, 2021 |
| 6. Dispositive Motions due | August 25, 2021 |

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3 Dated: April 29, 2021

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5 MEXICAN AMERICAN LEGAL DEFENSE
AND EDUCATIONAL FUND

BRYAN SCOTT
City Attorney

6 By: /s/ Ernest Herrera
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16 *Attorneys for Plaintiffs*

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18 IT IS SO ORDERED:

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21 UNITED STATES MAGISTRATE JUDGE
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23 DATED: April 29, 2021
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